

REMARKS

Initially, Applicant expresses appreciation to the Examiner for the detailed Official Action provided. Furthermore, Applicant expresses appreciation to the Examiner for the acknowledgment of Applicant's Claim for Priority and Receipt of the certified copy of the priority document.

Upon entry of the present paper, claims 9 and 21 will have been amended. The herein-contained amendments should not be considered an indication of Applicant's acquiescence as to the propriety of the outstanding rejection. Rather, Applicant has amended claims 9 and 21 in order to advance prosecution and obtain early allowance of the claims in the present application. Furthermore, no prohibited new matter has been introduced by the abovementioned amendments. Specifically, the amendments to claims 9 and 21 are supported at least by page 16, lines 6-10 of the specification as filed (¶[0044] of corresponding U.S. Pat. Appl. Pub. No. 2002/0062348). Thus, upon entry of the present paper, claims 1-9 and 11-21 are pending in the present application, with claims 1, 5, and 9 being in independent form.

Applicant addresses the objection and rejections provided within the Official Action below and respectfully requests reconsideration and withdrawal of the outstanding objection and rejections pending in the present application together with an indication of the allowability of claims 1-9 and 11-21 (*i.e.*, all pending claims) in the next Official communication. Such action is respectfully requested and is now believed to be appropriate for at least the reasons provided below.

Objections to the Specification

In the outstanding Official Action, it was asserted that the claim recitation of “tangible computer-readable medium” is not supported by the specification. In this regard, the Examiner asserted that such a claim recitation would be interpreted as a “storage medium” according to page 16, lines 6-10 of the specification as filed.

By the present paper, without acquiescing in the propriety of the outstanding objection, Applicant has amended claims 9 and 21, in accordance with the Examiner’s suggestion, to recite “storage medium” instead of “tangible computer-readable medium.” In this regard, as acknowledged by the Examiner, the amendment is supported at least by page 16, lines 6-10 of the specification as filed (§[0044] of corresponding U.S. Pat. Appl. Pub. No. 2002/0062348).

Accordingly, in view of the above, Applicant submits that the grounds for the outstanding objection no longer exist and respectfully request withdrawal thereof in the next official communication.

35 U.S.C. § 102 Claim Rejections

Claims 1-2, 5-6, 9, 18, and 20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. Appl. Pub. No. 2002/0002586 to Rafal et al. (hereinafter “RAFAL”).

Applicant respectfully traverses the rejection. Specifically, with respect to independent claims 1, 5, and 9 (*i.e.*, all independent claims) Applicant respectfully submits that RAFAL fails to disclose each and every feature recited by the claims. specifically, independent claim 1 generally recites an electronic chat joining method in which a chairman video game terminal requests a server to set an area of a database for

storing chat messages. According to independent claim 1, setup information, for setting the area of the database, is stored in the chairman video game terminal. The chairman video game terminal creates an invitation message comprising the setup information and transmits the invitation message comprising the setup information to a guest video game terminal. The guest video game terminal receives the invitation message from the chairman video game terminal and creates an access request signal based on the setup information that is stored in the chairman video game terminal.

With respect to the above, Applicant initially notes that independent claims 5 and 9 generally recite a similar combination of features as those set forth above for independent claim 1. In this regard, Applicant respectfully submits that RAFAL fails to disclose at least the features, as generally recited by independent claims 1, 5, and 9, of: storing setup information, for setting the area of the database, in a storage section of the chairman video game terminal; creating, by the chairman video game terminal, an invitation message comprising the setup information stored in the storage section of the chairman video game terminal; and transmitting the invitation message comprising the setup message from the chairman video game terminal to a guest video game terminal.

To the contrary, RAFAL discloses a method of creating and customizing online parties or gatherings (RAFAL, Abstract). According to RAFAL, a party is created in four stages: party creation, a pre-party state, the party, and a post-party state (RAFAL, ¶[0024]). In the party creation state, a host requests a server to construct a set of web pages that conform to a specified theme, that include specified activities, and that are in accordance with a specified schedule (RAFAL, Abstract and Figure 1). Additionally, in the part creation state, the host specifies an invitation list of guests to be invited to the

party and may also prepare the text of an invitation to be sent to the guests (RAFAL, ¶[0035], ¶[0119]).

According to RAFAL, the party creation functions (*i.e.*, theme management, activity management, schedule management, and participant management which comprises emailing the invitations) are implemented with conventional HTML forms in combination with common gateway interface programs at the web server (RAFAL, ¶[0032]). In other words, the party creation functions are created and stored at the web server. In this regard, RAFAL does not appear to disclose that setup information, for setting an area of the database, is stored in a storage section of the host's computer. Rather, the host merely accesses the server and creates the party through forms and programs that are stored at the web server.

In the outstanding Official Action, it is asserted that ¶[0085] and ¶[0086] of RAFAL disclose storing the setup information in the host's computer. In this regard, Applicant submits that ¶[0085] and ¶[0086] merely disclose tracking mechanisms for tracking the activity of the host and other users with the web server (RAFAL, ¶[0081]). Specifically, RAFAL discloses that a cookie is stored in the host's or user's browser so that the host or user can be identified by the web server in a later session (RAFAL, ¶[0086]). Applicant respectfully submits that such a cookie cannot be reasonably interpreted to be setup information for setting an area of a database for storing chat messages as recited by the independent claims of the present application

In this regard, Applicant notes that independent claims 1, 5, and 9 further recite that the chairman video game terminal creates an invitation message comprising the setup invitation. Assuming, *arguendo*, that the cookie of RAFAL is interpreted to correspond

to the setup information of the present application (and Applicant submits it cannot), Applicant respectfully submits that RAFAL cannot be reasonably interpreted to disclose that the host creates an invitation at the host's terminal wherein the invitation includes the cookie (*i.e.*, tracking mechanism) stored in the host's browser. Accordingly, at least in view of the above, Applicant respectfully submits that the outstanding Official Action fails to set forth a *prima facie* case of anticipation. Specifically, RAFAL is submitted to fail to disclose at least the feature of storing setup information, for setting the area of the database, in a storage section of the chairman video game terminal as recited by the claimed combinations of independent claims 1, 5, and 9.

Additionally to, and independently of, the above, Applicant further submits that RAFAL fails to disclose that the host terminal creates an invitation message comprising setup information that is stored in the storage section of the host terminal and that the invitation message is transmitted from the host terminal to a guest terminal as recited by independent claims 1, 5, and 9. In this regard, as noted above, RAFAL fails to disclose that setup information is stored in a storage section of the host terminal. Thus, RAFAL cannot be reasonably interpreted to disclose that the host's terminal creates an invitation message including the setup information stored in the host's terminal. RAFAL merely discloses that the host can enter, via an HTML form or common gateway interface program at the web server, a text of the invitation (RAFAL, ¶[0032], ¶[0119]). RAFAL, however, does not disclose that the host's terminal creates the invitation or that the invitation is transmitted from the host's terminal to a guest terminal as recited by the independent claims. Rather, RAFAL discloses that the web server handles the

request/response dialog with the invited users to execute the online gathering (RAFAL, Abstract).

Accordingly, at least in view of these additional reasons, Applicant submits that RAFAL further fails to anticipate independent claims 1, 5, and 9. Specifically, RAFAL fails to disclose the additional features of the present application of the host's terminal creating an invitation message comprising setup information that is stored in the host's terminal and transmitting the invitation message from the host's terminal to guests' terminals. Therefore, since RAFAL fails to disclose each and every feature recited by independent claims 1, 5, and 9, Applicant respectfully submits that such claims cannot be anticipated thereby. Accordingly, Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. § 102 and an indication of the allowability of independent claims 1, 5, and 9 in the next official communication.

With respect to the rejection of dependent claims 2, 6, 18, and 20 under 35 U.S.C. § 102, Applicant submits that these claims are all directly or indirectly dependent from one of allowable independent claims 1 and 5, which are allowable for at least the reasons discussed *supra*. Thus, these dependent claims are submitted to also be allowable for at least the reasons discussed *supra*.

35 U.S.C. § 103 Claim Rejections

Claims 3-4 and 7-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over RAFAL in view of U.S. Pat. No. 7,177,905 to Slutsmann et al. (hereinafter "SLUTSMAN"), claims 11-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over RAFAL in view of U.S. Pat. No. 7,216,144 to Morris et al. (hereinafter "MORRIS"), Claims 17, 19, and 21 were rejected under 35 U.S.C. § 103(a) as being

unpatentable over RAFAL in view of U.S. Pat. Appl. Pub. No. 2009/0106416 to Cohen et al. (hereinafter “COHEN”), and claims 15-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over RAFAL in view of SLUTSMAN.

Applicant respectfully traverses the rejections. Specifically, Applicant submits that claims 3-4, 7-8, 11-17, 19, and 21 are all directly or indirectly dependent from one of allowable independent claims 1, 5, and 9, which are allowable for at least the reasons discussed *supra*. Furthermore, Applicant submits that SLUTSMAN, MORRIS, and COHEN fail to cure the deficiencies of RAFAL. That is SLUTSMAN discloses that a subscriber who desires to host a conference transmits a request to a web service control point, and the web service control point broadcasts an invitation to potential conference participants (SLUTSMAN, Abstract), MORRIS is merely relied on in the outstanding Official Action to disclose creating a chat opening message, and COHEN is merely relied upon to disclose transmitting an invitation answer signal from a guest video game terminal in response to receiving an invitation. Thus, in view of the above, Applicant submits that these dependent claims are also allowable for at least the reasons discussed *supra*.

At least in view of the above, Applicant respectfully submits that each and every pending claim of the present application (*i.e.*, claims 1-9 and 11-21) meets the requirements for patentability. Accordingly, the Examiner is respectfully requested to withdraw the objection to the specification and the 35 U.S.C. § 102 and 35 U.S.C. § 103 rejections and to indicate the allowance of each and every pending claim in the present application.

CONCLUSION

In view of the fact that none of the art of record, whether considered alone, or in any proper combination thereof, discloses or renders obvious the present invention, and in further view of the above remarks, reconsideration of the Examiner's action and allowance of the present application are respectfully requested and are believed to be appropriate.

Applicant notes that the amendments to the claims are merely submitted to maintain consistency between the claims and the specification. Accordingly, this amendment should not be considered a decision by Applicant to narrow the claims in any way.

Additionally, Applicant notes that the status of the present application is after final rejection and that once a final rejection has issued, an applicant does not have a right to amend an application. Nevertheless, pursuant to M.P.E.P. §714.13, Applicant contends that entry of the present amendment is appropriate because the proposed amended claims avoid the rejections set forth in the last Official Action, resulting in the application being placed in condition for allowance, or alternatively, the revised claims place the application in better condition for purposes of appeal. Further, the revised claims do not present any new issues that would require any further consideration or search by the Examiner, and the amendment does not present any additional claims without cancelling a like number of pending claims. Accordingly, entry of the present amendment is respectfully requested.

Should the Commissioner determine that an extension of time is required in order to render this response timely and/or complete, a formal request for an extension of time,

under 37 C.F.R. §1.136(a), is herewith made in an amount equal to the time period required to render this response timely and/or complete. The Commissioner is authorized to charge any required extension of time fee under 37 C.F.R. §1.17 to Deposit Account No. 19-0089.

If there should be any questions concerning this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
Kazutoyo MAEHIRO



Bruce H. Bernstein
Reg. No. 29,027

November 10, 2009
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Steven Wegman
Reg. No. 31,438

Steven Wegman
Reg. No. 31,438